

### **REMARKS**

Claims 1-17 were originally filed in the present application. Claim 16 has been cancelled, while Claims 1, 4, 11-15 and 17 have been amended. Claims 1-15 and 17 are currently at issue.

With respect to the Office Action, Claims 1-10 were considered allowable by distinguishing over all relevant art. Claims 11, 12, and 13 have been initially rejected under 102(b) as anticipated by U.S. Patent No. 6,093,010 to Lamson. Finally, Claims 14-17 have been initially objected to as being dependent upon a rejected base claim, but would be considered allowable if rewritten in independent form. The "Abstract" and a small portion of the "Detailed Description" have been objected to as well.

Accordingly, the "Abstract" and page 4 of the specification have been amended to address the informalities raised by the Examiner. The Abstract is now fully compliant with the suggested drafting requirements of MPEP § 608.01(b) with the deletion of the phrase "is disclosed." The unintentional typographical error on page 4 of the application has been corrected to reference figure 3 instead of figure 2. No new matter has been added to the application.

As for informalities in the "Claims," Claim 1 has been amended to clarify two small inconsistencies in the claim language. Claim 4 has been amended to change the dependency from Claim 3 to Claim 2. No new matter has been added to these claims.

Regarding substantive amendments, Claim 11 has been amended to add the feature of "automatically" moving the heater when the "air [becomes] heated" and "directing the heated air toward the container" to allow rolling the "heated containers" lips on the screw assembly. In the present PTO Action, the Examiner has indicated that the prior art fails to disclose "a process of rolling lips about the open mouths of stacked thermoplastic containers including the step of discharging a supply of heated air toward the containers as they are engaged on the screw assembly." Claim 11 would, therefore, appear to now contain the very elements which the Examiner considers to distinguish over the relevant art. No new matter has been added to this claim.

Claims 12-14 have been amended to be consistent with the language of Claim 11. Claim 15 has been amended to depend directly from independent Claim 11. Claim 17 has been amended

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to depend then from Claim 11—instead of cancelled Claim 16—as well as to provide consistency between the language of the two claims. No new matter has been added.

The amendment to Claim 11 has been made only for the purpose of taking advantage of the claim coverage currently being offered by the present PTO Action. Applicant respectfully disagrees with the examiner's rejections to the original claim, but has chosen not to pursue an appeal on this matter at this time.

Reconsideration of all pending claims is respectfully requested in light of the above amendments and remarks.

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### CONCLUSION

Claims 1-15 and 17 are presently pending in the referenced application. Claims 1, 4, 11-15 and 17 have been amended, while Claim 16 has been cancelled. Applicant believes that all pending claims are allowable, and a notice to that effect is earnestly sought at the Examiner's earliest convenience. Reconsideration of all pending claims is hereby requested. If any informalities remain which may be cleared up by Examiner Amendment, Applicant requests the Examiner to call the undersigned attorney at his convenience.

The Commissioner is authorized to debit or credit our Deposit Account No. 23-0280 for any payment **deficiencies or overpayments** associated with this matter.

Respectfully submitted,

Date: December 18, 2003

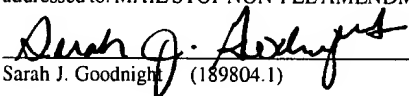
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: MAIL STOP NON-FEE AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on December 18, 2003.

  
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